

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.:	<b>09/436,347</b>	Group Art Unit:	1643
Confirmation No.:	6491	Examiner:	A.M. Harris
Filed:	9 November 1999		
Inventor:	Christine A. WHITE <i>et al.</i>		
For:	Treatment of Chronic Lymphocytic Leukemia using Anti-CD20 Antibodies (as amended)		

Mail Stop **Amendment**  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**RESUBMISSION OF INFORMATION DISCLOSURE STATEMENT**

Sir:

A review of the official electronic file for this application reveals that an Information Disclosure Statement filed on 1 May 2003 is missing from the Office's records. This paper transmits a copy of the missing IDS, including the postcard receipt showing that the Office did in fact receive the submission when it was filed.

Applicant particularly calls the examiner's attention to this IDS as it provides documents cited by the European Patent Office in a counterpart application, EP 99960232. For the convenience of the Office, copies of the cited references accompany this paper.

Applicant believes that because this is a copy of a paper previously submitted, no fee is due. However, should any fee be required to render this paper timely or proper, applicant requests that the Director charge the required fee to our Deposit Account No. 18-1260.

Respectfully submitted,

/David L. Fitzgerald/

David L. Fitzgerald, Reg. No. 47,347  
Attorney for Biogen Idec Inc.

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: White, et al. )  
Serial No. 09/436,347 )  
Filed: November 9, 1999 )  
For: TREATMENT OF HEMATOLOGIC )  
MALIGNANCIES ASSOCIATED )  
WITH CIRCULATING TUMOR )  
CELLS USING CHIMERIC ANTI- )  
CD 20 ANTIBODY )  
Art Unit: 1643 )  
Examiner: To be assigned )

Certificate of Mailing

I, Patricia Munoz, hereby certify that this paper or file is being deposited with the United States Postal Service as Express Mail Post Office to Addressee service (Mailing Label No. EU 491 361 435 US) under 37 C.F.R. § 1.10 on the date indicated below and is addressed to the Commissioner for Patents Post Office Box 1450, Alexandria, Virginia 22313-1450.

By: Patricia Munoz  
Patricia Munoz  
Date: May 1, 2003

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents  
Post Office Box 1450  
Alexandria, VA 22313-1450

Sir:

In compliance with the Applicants' duty under 37 C.F.R. §§1.97-98, the following information is brought to the attention of the Examiner. The items are listed on the attached form PTO-1449 and copies of the references are attached for the Examiner's convenience.

These references were cited in the European Search Report for EP 99 96 0232, which is related to the present application in that it claims priority from, *inter alia*, an earlier filed United States application. A copy of the European Search Report is attached.

The items identified in this Information Disclosure Statement may or may not be "material" pursuant to 37 CFR §1.56 and the submission thereof by Applicants shall not be construed as an admission that any such patent, publication or other information referred to therein is material or considered to be material (37 C.F.R. §1.97(h)), or even qualifies as "prior art" under 35 U.S.C. §102 with respect to this invention unless specifically designated by Applicants as such.

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The filing of this Information Disclosure Statement shall not be construed to mean that a search has been made or that no other material information, as defined in 37 C.F.R. §1.56, exists.

The Commissioner is hereby authorized to charge any fee, including any fee due with this submission, if the attached check(s) is in the wrong amount or otherwise improper or missing, that may be due in connection with this and the attached papers, or with this application during its entire pendency to or to credit any overpayment to Deposit Account 03-3975, Order No. 037003-0278069.

Respectfully submitted,

PILLSBURY WINTHROP LLP

By 

Suzanne L. Biggs

Registration No. 30,158

Dated: May 1, 2003

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1998-30-0525CP1

**INFORMATION DISCLOSURE STATEMENT  
BY APPLICANT**

Applicant: White, et al.

Appl. No.: 09/436,347

Filing Date: November 9, 1999

Date: May 1, 2003

Page 1 of 1

Examiner: To be assigned Group Art Unit: 1643

**U.S. PATENT DOCUMENTS**

Examiner's Initials*	Document Number	Date MM/YYYY	Name (Family Name of First Inventor)	Class	Sub Class	Filing Date (if appropriate)
	AR					
	BR					
	CR					
	DR					
	ER					
	FR					

**FOREIGN PATENT DOCUMENTS**

		Document Number	Date MM/YYYY	Country	Inventor Name		Abstract		Readily Available	
							Enclosed	No	Enclose	No
	GR									
	HR									
	IR									
	JR									
	KR									

**OTHER (Including in this order: Author, Title, Periodical Name, Date, Persistent Pages, etc.)**

LR	Jensen, M., et al., Rapid tumor lysis in a patient with B-cell chronic lymphocytic leukemia and lymphocytosis treated with an anti-CD20 monoclonal antibody (IDEC-C2B8, rituximab), Ann. Hematol. 77:89-91 (1998)			
MR	McLaughlin, P., et al., Rituximab chimeric anti-CD20 monoclonal antibody therapy for relapsed indolent lymphoma: half of patients respond to a four-dose treatment program, Journal of Clinical Oncology, 16(8):2825-2833 (1998)			
NR	Malony, D., et al., IDEC-C2B8 (Rituximab) anti-CD20 monoclonal antibody therapy in patients with relapsed low-grade non-Hodgkin's lymphoma, Blood, 90(6):2188-2195 (September 15, 1997)			
OR	Vartholomatos, G., et al., Rituximab (anti-CD20 monoclonal antibody) administration in a young patient with resistant B-prolymphocytic leukemia, Acta Haematol. 102:94-98 (1999)			
PR				
QR				

Examiner

Date Considered:

\*EXAMINER: Initial if citation considered, whether or not citation is in conformance with MPEP § 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.

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## PAT-103 &amp; 01 PTO RECEIPT FOR INDICATED ITEMS

Ser No: 02436347

Inventor(s) White, et al.

Title: TREATMENT OF HEMATOLOGIC MALIGNANCIES  
ASSOCIATED WITH CIRCULATING TUMOR CELLS USING  
CHIMERIC ANTI-CD 20 ANTIBODY

## ENCLOSED:

☐ Amendment ☐ Change of Address Notice

# No. of Pages Abstract

# No. of Pages Spec and Claims

# No. of numbered Claims only

☐ Declaration(s) ( #pgs)☐ Assignment(s) ( # sheets) ☐ Cover Sheet

# No. of Priority Documents

☒ IDS Letter ☐ cited Appl(s) ☒ Foreign sch rept.☒ PTO-1449 ☒ cited docs. ☐ Nonpublication Request

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